

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NWC York Rd. & Bellona Ave. * ZONING COMMISSIONER
(pending road closing) *
1600 York Road * OF BALTIMORE COUNTY
8th Election District *
4th Councilmanic District *
Legal Owner: Regent Devel- * Case No. 94-184-A
opment Company *
Contract Purchaser: Taco Bell *
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Zoning Variance for that property located at 1600 York Road in the Lutherville section of Baltimore County. The Petition is filed by Regent Development Company, the property owner, and Taco Bell, Contract Purchaser/Lessee. Relief is requested from Section 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 16 ft., in lieu of the required 30 ft. Relief is also sought from Section 413.2.F of the B.C.Z.R. to permit 191.68 sq. ft. of business signs, in lieu of the maximum permitted 100 sq. ft., and to permit 9 signs total (1 free standing, 6 directional signs, 1 speaker post, and 1 menu board) in lieu of the maximum permitted three signs on any premises. The relief requested and subject property is more particularly shown on Petitioners' Exhibit No. 1, the plan to accompany the Petition for Zoning Variance.

Appearing at the public hearing held for this case was Anthony Byrd, the construction manager for the Taco Bell restaurant chain. Also appearing on behalf of the Petition was William Monk, the principal of William Monk, Inc., a Land Planning/Development/Consulting firm, Ken Colbert, the engineer who prepared the plat, Patrick A.M. Miller of KIMB, Inc., Howard S. Epstein and Louis M. Epstein. The Petitioners were represented by

Gary C. Duvall, Esquire. Appearing as an interested person/Protestant was Eric Rockel, representing the Lutherville Community Association. As noted above, the property sits immediately adjacent to the subdivision known as Old Lutherville, an historically significant community of older single family residences.

Mr. Monk testified and presented the plan. The subject property is well known to this Zoning Commissioner and immediately abuts York Road. York Road is a heavily travelled commercial corridor which extends on a north/south axis from the Baltimore City line to Pennsylvania. At this point, York Road contains a number of commercial uses which surround the site. These include two service stations on the opposite side (east) of York Road, as well as a barber shop and garden center to the north and retail uses to the south. In addition to its location next to York Road, the property is also adjacent to Bellona and Melancton Avenues. These roads form a triangle to the west from their intersection with York Road. This vicinity is well known and enjoys a significant history of zoning and development use. Kirsch's Cleaners is located within the triangle formed by Bellona Avenue and Melancton Road and immediately abuts the subject site. The site, although now vacant, formerly was utilized by Jack's Corned Beef Restaurant, a White Coffee Pot, Jr. and similar uses. In terms of size, the gross area of the property is 1.25 acres and the net area is 1.07 acres. The property is zoned B.R.-C.N.S. predominantly with a small sliver of B.L.

The Petitioners propose a rather ambitious project for the subject property and surrounding vicinity. Presently, vehicular access to and from the site from the south is somewhat difficult, if not accomplished by way of York Road. This is because Melancton Avenue is a one-way street

westbound which does not permit traffic to exit the site to York Road from the curb cut on the southwest corner of the property. Moreover, the Lutherville community has long been concerned about commercial traffic exiting the site and utilizing Melancton Avenue into the residential subdivision to the west. In order to resolve these long standing concerns, the Petitioners propose to close Melancton Avenue near the southwest corner of the site. Melancton Avenue will then become a deadend street with a "T" turnaround accessible only through the residential community in Old Lutherville. The roadbed to be closed will be utilized to provide a parking area for the Kirsch's Cleaners immediately adjacent to the subject site. Moreover, a portion of the Kirsch's front lot will be conveyed to Taco Bell so as to provide driveway access to the site from Bellona Avenue and a drive-thru lane. All of these proposed improvements are shown on the site plan and numerous exhibits submitted at the hearing. The Petitioners efforts, in this regard, are to be applauded. It is clear that their utilization of this property will resolve the Lutherville residents long term fears as to the use of the property and reduce traffic from the property to the residential community. A more orderly and well developed traffic pattern will be established. Further, it is clear that the proposed use of the site, as a fast food restaurant, is compatible with the existing zoning classification of the property and surrounding uses.

As noted above, the matter comes before me as a Petition for Variance. Relief is first sought from Section 238.2 of the B.C.Z.R. so as to permit a side yard setback of 16 ft., in lieu of the required 30 ft. This is necessary in order to implement the improvements as shown on the site plan. The restaurant will be shifted from its present location to the

south so as to provide an appropriate drive-thru traffic lane and proper parking. Moreover, as noted above, Melancton Avenue will be closed and the property line for the Kirsch property moved northerly. Due to these constraints, the building will maintain only a 16 ft. setback to the side property line. It is to be noted that this setback distance is not measured from any residential property, but from the Taco Bell building to the Kirsch parking lot.

As is well settled, a variance from the area regulations contained within the B.C.Z.R. may be granted only if the Petitioners comply with Section 307 of the regulations. This section requires that the Petitioners demonstrate that strict adherence to the regulation from which relief is sought would cause practical difficulty upon the Petitioners' property. Moreover, the Petitioners must demonstrate that the relief can be fashioned so as to observe the spirit of the ordinance and not be detrimental to the surrounding locale.

As to the side yard setback variance request, I am persuaded that same should be granted. Redevelopment of the property in the manner proposed is entirely consistent with the land uses in this locale and surrounding properties. In fact, it appears that the proposed use in the manner shown will be an improvement to the traffic and other existing conditions. In order for the site plan to be implemented, as proposed, the building must be situated where proposed so as to provide a reasonable traffic pattern. This factor, plus the relocation of the side property line, constitutes a practical difficulty upon the Petitioners. Moreover, I am entirely convinced that the proposed redevelopment is appropriate and will not be detrimental to the locale. Further, as a condition precedent to the granting of the variance, the Petitioner has agreed to landscape

the property with particular emphasis on screening the southwest corner of the site.

The second variance requested relates to sign requirements contained within Section 413.2.F. of the B.C.Z.R. The Petitioners seek 191.68 sq. ft. of signage in lieu of the required 100 ft. Also requested is a total of 9 signs, in lieu of the permitted 3. As to the number of signs requested, I am persuaded that the variance should be granted. In this case, the Petitioners have also satisfied the test enunciated in Section 307 of the regulations. It is to be particularly noted that a majority of the signs proposed are directional in nature and are needed to direct patrons of the fast food restaurant to the parking lot and drive-thru facilities. That is, six (6) of the signs proposed are not advertising signs, per se, but traffic directional and control signals. Also included, is a menu board and speaker post which is necessary to service drive-thru patrons. The remaining sign requested is needed for advertising purposes. This is a larger sign, which contains 69 sq. ft. of face, per side, for a total of 138 sq. ft. This sign will be located on the southeast corner of the site, near the present Jack's Corned Beef sign. The Petitioners argue that this sign is necessary so as to advertise this site and allow the motoring public advance notice of the two entrances to the property. As noted above, York Road is a highly traveled commercial corridor at this point.

Mr. Rockel, as well as the Office of Planning and Zoning, voiced certain concerns about visual clutter and the size and number of signs which overwhelm the York Road landscape. Indeed, as one who travels this roadway frequently, I am concerned about the excessive signage on York Road and the visual clutter caused in part by this signage. Nonetheless,

I will grant the variance, as requested. I am persuaded that the Petitioners have satisfied the standards contained in Section 307 of the regulations. However, in order to address Mr. Rockel's concerns, I shall enter a restriction upon the relief granted which shall be a condition precedent to the granting of the variance. Specifically, this Petition and future owners/lessees shall be prohibited from any outdoor advertising on site other than the permanent 9 signs which are proposed and shown on the site plan. That is, there shall be no temporary signage, or other means of advertising on this site. This prohibition includes but is not limited to banners, flags, A-frame signs, temporary lighted signs, etc. It is my intention in imposing this restriction to limit all outdoor advertising on this site to the 9 signs shown on the site plan. There shall be no temporary signage promoting employment opportunities, special meal deals and the like. This restriction includes not only signs, but also banners, flags, inflatable animals and similar devices which presently overwhelm the York Road landscape. It is the intention of this restriction to allow the Petitioners a reasonable use and opportunity to advertise its business, while preserving and maintaining some visual relief from the overwhelming clutter on this road.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 7th day of December, 1993 that a variance from Section 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 16 ft., in lieu of the required 30 ft. Relief is also requested from Section 413.2.F of the B.C.Z.R. to permit 191.68 sq. ft. of

business signs, in lieu of the maximum permitted 100 sq. ft., and to permit 9 signs (1 free standing, 6 directional signs, 1 speaker post, and 1 menu board) in lieu of the maximum permitted three signs on any premises, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners and subsequent property owners/lessees shall be prohibited from employing any outdoor advertising on this site, other than the 9 signs shown on the site plan. This restriction shall take effect 30 days after occupancy of the property by the Taco Bell restaurant, thereby enabling this business to advertise its opening and/or employment opportunities. Thereafter, there shall be no banners, flags, temporary signs or other outdoor mechanisms designed to draw attention to and/or advertise the site.
3. The Petitioner shall provide landscaping in accordance with that set forth on the attached landscaping plan identified herein as Petitioner's Exhibit No. 8. Further, the Petitioner shall ensure adequate screening of the property at and near the proposed terminus of Melancton Avenue and the site.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

December 7, 1993

Gary C. Duvall, Esquire
600 Washington Avenue
Towson, Maryland 21204

RE: Case No. 94-184-A
Petition for Variance
Legal Owner: Regent Development Co.
Contract Purchaser/Lessee: : Taco Bell, Petitioner

Dear Mr. Duvall:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmn
att.
cc: Mr. William Monk, William Monk, Inc., 222 Bosley Ave., Towson, 21204
cc: Anthony K. Byrd, 620 Herndon Parkway, Su. 200, Herndon, VA 22070
cc: Ken Colbert, 3723 Old Court Road, Su. 206, Balto. Md. 21208
cc: Patrick A.M. Miller, KIMB, Inc. 100 West Road, Towson, Md. 21204
cc: Howard S. Epstein, Louis M. Epstein, 923 Hamilton St., Allentown PA 18101
cc: Eric Rockel, Lutherville Community Assoc., P.O. Box 6, Lutherville, Md. 21093

YORK ROAD MD. RTE. 45

ULTIMATE 80' R/W

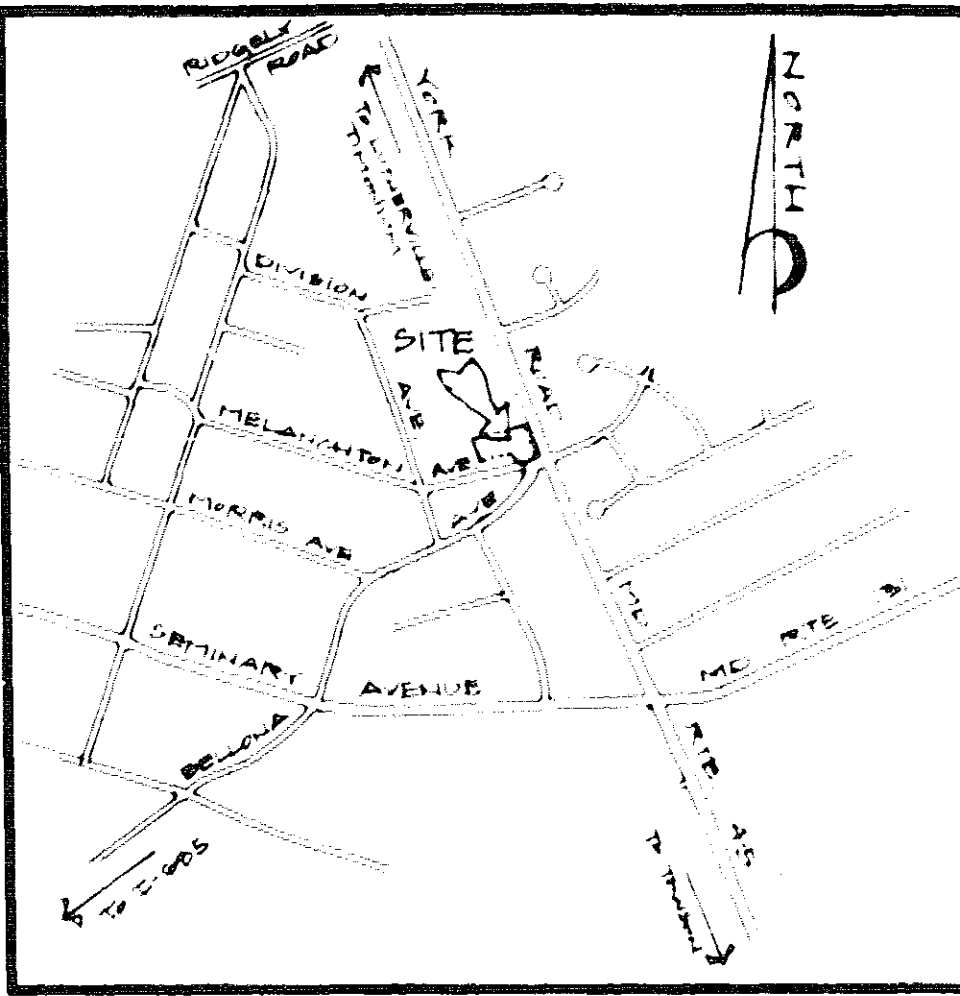
EXISTING DIAMOND DRIVE

LEGEND

EXISTING CONTOURS
PROPOSED CONTOURS
EXIST. CURB & GUTTER
EXIST. C & G TO BE REMOVED
PROPOSED C & G
ZONING BOUNDARY
PROPOSED YARD LIGHT
DISTURBED AREAS

BENCHMARK

HUB NO. 17024 E.L. 405.77'
INSTR. M.S. SPIKE SET
IN MACADAM ON N. SIDE OF
MELANCTON AVE. 320' W. OF
YORK ROAD.



VICINITY MAP
SCALE: 1" = 1000'

GENERAL NOTES

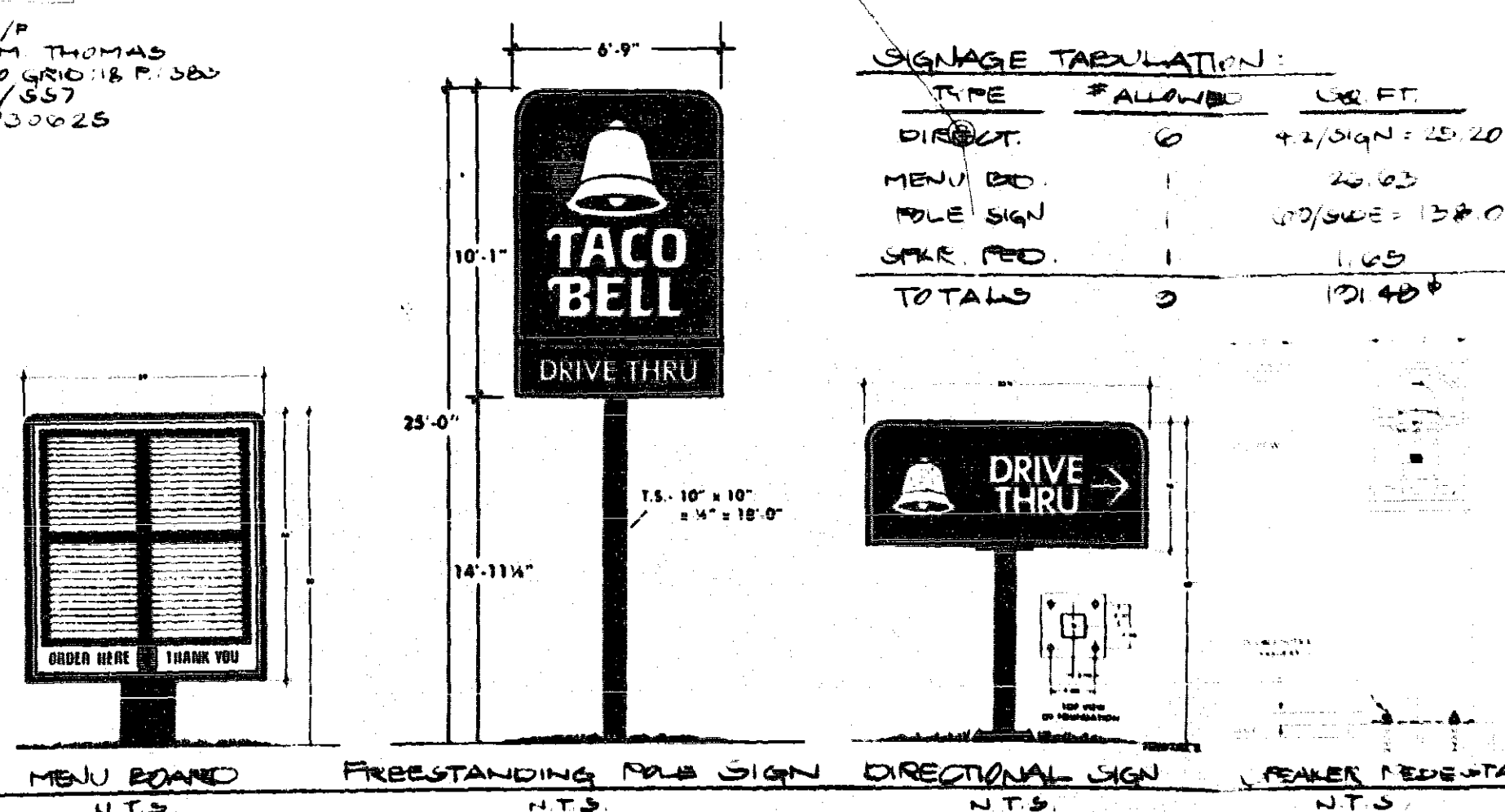
- OWNER: REGENT DEVELOPMENT COMPANY
C/O HOWARD EPSTEIN
100 BOX 566
ALLENTOWN, PA 18105
TAX MAP: 60 GRID: 18 PARCELS: 202
GRID REF.: 6286/278
TAX I.D. NO.: 0819033158
- APPLICANT: TACO BELL CORPORATION
620 HERNDON PARKWAY, SUITE 200
HERNDON, VA 22070
(703) 481-9857
- SITE AREA:
NET: 1.0213 AC. OR 44,000 SQ. FT.
HIGHWAY WIDENING: 0.0241 AC. OR 1,049 SQ. FT.
GROSS: 1.0454 AC. OR 45,049 SQ. FT.
- ELECTION DISTRICT: 8 COUNCILMANIC DISTRICT: 3
- CENSUS TRACT: 4086.02
- WATERSHED: 24 (4-1) SUBWATERSHED: 10 (3-1)
- SUBJECT PROPERTY IS ZONED: BP-CMS
- EXISTING USE: FAST FOOD RESTAURANT W/DRIVE-THRU (VACANT)
- PROPOSED USE: TACO BELL RESTAURANT W/DRIVE-THRU
- DR. BUILDING SETBACKS:
FRONT 25' PROPOSED 25'
STREET CORNER SIDE 30' PROPOSED 30'
INTERIOR SIDE 30' PROPOSED 30'
REAR 30' PROPOSED 40'
- BUILDING AREA: 2428 SQ. FT. +/-
- PARKING TABULATION:
REQUIRED: 16,1000 S.F. (G.F.A.) OR
(2428/1000) X 16 = 38.84, SAY 39 SPACES
PROPOSED: 47 SPACES
- AMENITY OPEN SPACE: N/A
- FLOOR AREA RATIO:
ALLOWED: 2.0
PROPOSED: 2428 SQ. FT. / 51772 SQ. FT. = 0.047, O.K.
- PREVIOUS COMMERCIAL PERMITS: NO RECORDS AVAILABLE
- AVERAGE DAILY TRIP:
ADITS = 786/1000 SQ. FT. (G.F.A.) OR
(2428/1000) X 786 = 1918 ADITS
- THE SUBJECT SITE WILL BE SERVED BY PUBLIC WATER AND SEWER.
- ON-SITE LIGHTING SHALL BE ARRANGED TO CONFINE ALL LIGHT RAYS ENTIRELY WITHIN THE BOUNDARY OF THE SITE AND TO PREVENT RAYS FROM ADVERSELY AFFECTING THE ADJACENT PROPERTY OR TRAVELWAY.
- THE PROPOSED PARKING LOT WILL BE PERMANENTLY STRIPED AND ALL PARKING/MANEUVERING AREAS WILL BE PAVED WITH A DURABLE DUSTLESS SURFACE.

GENERAL NOTES (CONT)

- THIS PROJECT HAS RECEIVED A LIMITED EXEMPTION UNDER SECTION 24-71 (1)(3) OF THE BALTO. CO. DEV. REG. CODE, DATED 10/4/03, (24-022).
- A CUSTOMER SERVICE MANAGEMENT WAIVER WILL BE APPLIED FOR.
- THE DEVELOPMENT OF THIS SITE REQUIRES THE CLOSURE OF A PORTION OF MELANCTON AVENUE.
- THIS PROJECT DOES NOT NEED TO COMPLY WITH THE PRESENT CONSERVATION ACT BECAUSE IT DOES NOT FALL WITHIN THE SCOPE STATED IN SECT. 14-402 (A).
- SUBJECT SITE IS MAPPED AS URBAN AREA (SAB) W/A H.O.G. OF 20' LIMITATIONS ARE SUIT TO MODERATE.
- I, ANTHONY BYRD, CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT PROJECTS IN ANY OF THE FOLLOWING: THE APPLICANT, A PERSON W/A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.
- TOTAL DISTURBED AREA: 1.22 AC. +/- OR 50,000 SQ. FT. +/-
- THERE ARE NO EXISTING WELLS, SEPTIC AREAS OR UNDERGROUND STORAGE TANKS ON THIS SITE.
- LANDS SHALL BE PROVIDED FOR PHYSICALLY HANDICAPPED PERSONS AT ALL STREET INTERSECTIONS.

SIGNAGE TABULATION

TYPE	ALLOWED	USE FT.
DIRECT	0	+1 SIGN = 15' 20'
MENU BO.	1	20' 00'
SIDE SIGN	0	0' 00' = 15' 00'
SIDE PO.	1	15' 00'
TOTALS	2	121' 40"



RED LINED APPVD PLAN
SEE LTR. QUICK RESPONSE FROM JOHN LEWIS
TO WILLIAM MUNK. DATE 6/27/04
J. Lewis,
PLANNER II
Z.A.D.M.

DEVELOPMENT PLAN/
COMMERCIAL BUILDING PERMIT SITE PLAN

TACO BELL RESTAURANT @
1600 YORK ROAD (MD. RT. 45)
EIGHTH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 20' APRIL, 1994
SHEET 1 OF 2
UNLESS SHOWN OTHERWISE, ALL DIMENSIONS ARE IN FEET
LIMITED EXEMPTION FILE: 04-022
Z.A.D.M. # VIII-000

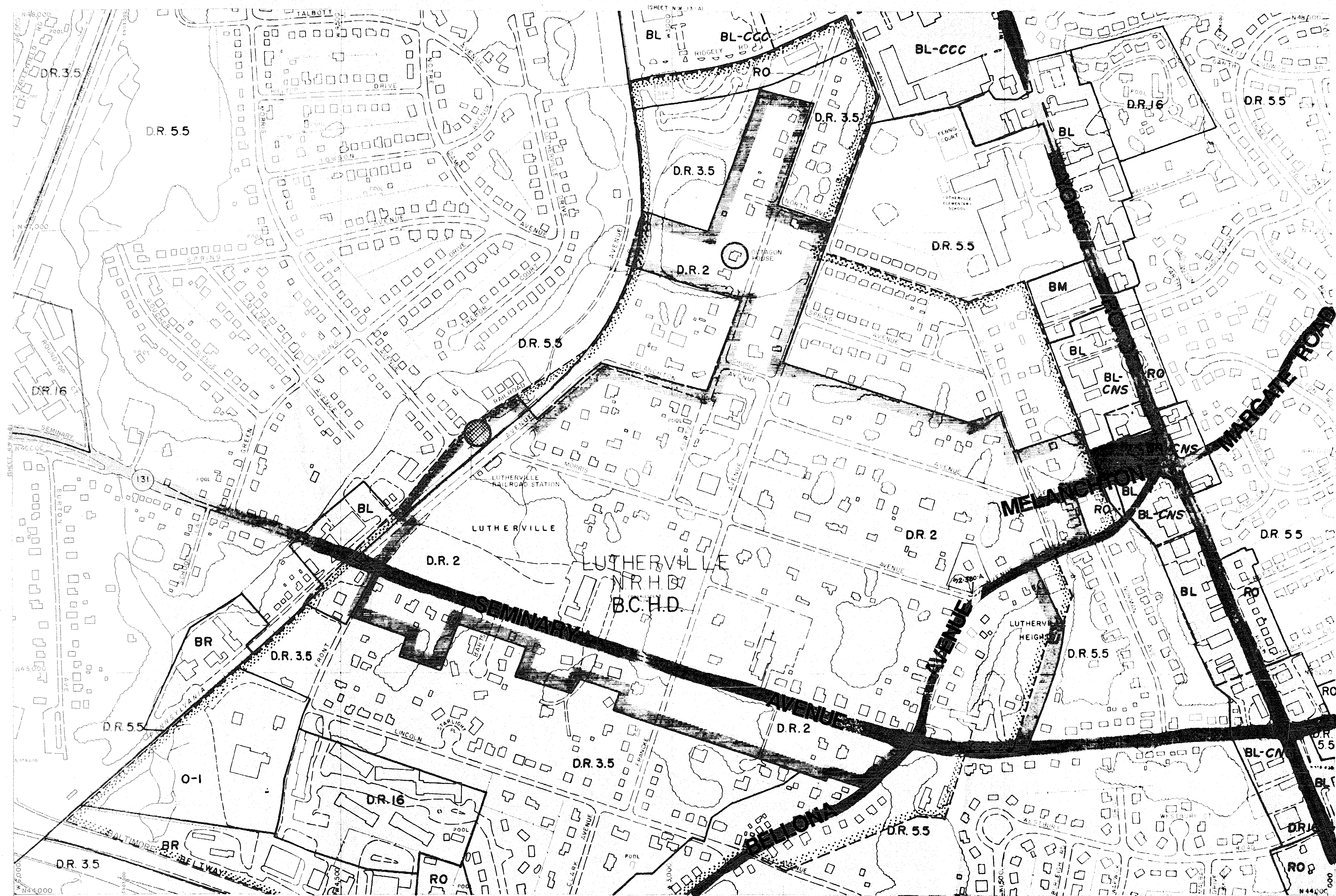
COLBERT ENGINEERING INC.

DUMBARTON SQUARE
3723 OLD COURT ROAD, SUITE 206
BALTIMORE, MARYLAND 21208
PHONE: (410) 663-3838

REVISED BY	DESIGNED BY	DRAWN BY	CHECKED BY	DATE	SCALE
CEL	CEL	CEL	CEL	06/01/94	1" = 20'
1304270P	1304270P	1304270P	1304270P		

THIS REVISION PLAN IS
SEALED & CERTIFIED
TO BE IN ACCORDANCE
W/ ALL AGENCY
COMMENTS

NO.	DATE	REVISION	BY



S - SE R - SW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

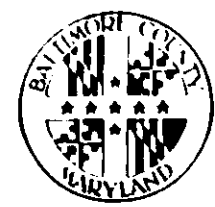
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

BM Nos. 100-02, 104-02, 105-02, 106-02, 107-02, 108-02, 109-02

William A. Howard
Chairman, County Council

SCALE 1" = 200'	LOCATION LUTHERVILLE	SHEET N44000 12-A
DATE OF PHOTOGRAPHY JANUARY 1986	PETITIONER'S EXHIBIT No. 10	



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1600 York Road
which is presently zoned BR-CNS

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County, and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 11 Section 238.2 to permit a side yard setback of 16' in lieu of the required 30'. 2) Section 413.2 (f) to permit 191.68 Sq. Ft. of business signs in lieu of the maximum permitted 100 Sq. Ft. and to permit 9 signs (1 freestanding, 6 directional signs, and 1 menu board) in lieu of the maximum permitted 3 signs on any premises.
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

TO BE ADDRESSED AT HEARING. WPM

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee
Taco Bell/Anthony Byrd
By: *Charles K. Bond*
620 Herndon Parkway, Suite 200
Herndon VA 22070
City State Zipcode
Attorney for Petitioner
Type or Print Name
Signature
Address Phone No
City State Zipcode
OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING: 1 hr
The following date is available for hearing: Next Two Months
ALL REVIEWED BY: *WPM* DATE: 11/22/93

Legal Owner(s)
Regent Development Company
By: *Louis W. Epstein*
Louis W. Epstein
Regent Development Company
P.O. Box 566 (215) 434-7611
Allentown PA 18105
City State Zipcode
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted
William Monk, Inc.
222 Bosley Ave, Towson, MD 494-8931
Address Phone No
OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING: 1 hr
The following date is available for hearing: Next Two Months
ALL REVIEWED BY: *WPM* DATE: 11/22/93

COLBERT ENGINEERING, INC.

3723 OLD COURT ROAD • SUITE 208
BALTIMORE, MARYLAND 21208
PHONE: (410) 683-3438
FAX: (410) 683-7953

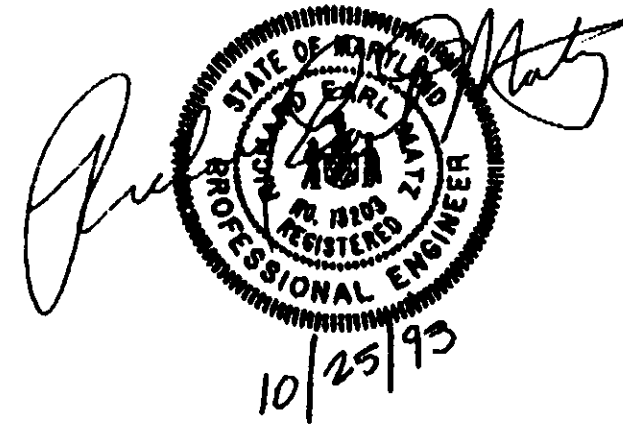
ZONING DESCRIPTION

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE IN THE EIGHTH ELECTION DISTRICT OF BALTIMORE COUNTY, MARYLAND AND BEING KNOWN AS 1600 YORK ROAD AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR THE SAME AT A POINT ON THE WEST SIDE OF YORK ROAD AT THE END OF A PROPOSED FILLET CONNECTING ON THE PROPOSED NORTHWEST SIDE OF BELLONA AVENUE WITH SAID WEST SIDE OF YORK ROAD, RUNNING THENCE BINDING ON SAID FILLET, (1) SOUTHWESTERLY BY A CURVE TO THE RIGHT WITH A RADIUS OF 25.00 FEET, THE DISTANCE OF 25.10 FEET, THE CHORD OF SAID ARC BEING SOUTH 05 DEGREES 25 MINUTES 41 SECONDS WEST 24.06 FEET TO SAID PROPOSED NORTHWEST SIDE OF BELLONA AVENUE, THENCE BINDING ON SAID PROPOSED NORTHWEST SIDE, (2) SOUTH 34 DEGREES 11 MINUTES 22 SECONDS WEST 100.00 FEET, THENCE LEAVING SAID AVENUE THE FOLLOWING FOUR (4) COURSES: (3) NORTH 30 DEGREES 52 MINUTES 00 SECONDS WEST 75.00 FEET, (4) SOUTH 71 DEGREES 05 MINUTES 45 SECONDS WEST 186.00 FEET, (5) NORTH 21 DEGREES 01 MINUTES 08 SECONDS WEST 138.00 FEET, AND (6) NORTH 69 DEGREES 51 MINUTES 35 SECONDS EAST 288.08 FEET TO SAID WEST SIDE YORK ROAD, THENCE BINDING ON SAID WEST SIDE THE FOLLOWING TWO (2) COURSES: (7) SOUTH 19 DEGREES 55 MINUTES 00 SECONDS EAST 33.42 FEET, AND (8) SOUTH 23 DEGREES 20 MINUTES 00 SECONDS EAST 102.41 FEET TO THE PLACE OF BEGINNING.

CONTAINING 44,919 SQ. FT. OR 1.0312 ACRES OF LAND.

DESCR\1600YORK.DES



CIVIL ENGINEERS • LAND SURVEYORS

CERTIFICATE OF POSTING

District: *8A* Date of Posting: *11/12/93*
Posted for: *Variance*
Petitioner: *Regent Development Co.*
Location of property: *1600 York Rd., Herndon, VA 22070*
Location of Signs: *Along road on property being zoned*
Remarks:
Posted by: *William Monk, Inc.* Date of return: *11/22/93*
Number of Signs: *1*

CERTIFICATE OF PUBLICATION

TOWSON, MD., *11/11*, 19*93*
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of *1* successive weeks, the first publication appearing on *11/11*, 19*93*

THE JEFFERSONIAN,
A. H. Hemmison
LEGAL AD. - TOWSON
Publisher

NOTICE TO PETITIONER
The undersigned, legal owner(s) of the property situated in Baltimore County, and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 11 Section 238.2 to permit a side yard setback of 16' in lieu of the required 30'. 2) Section 413.2 (f) to permit 191.68 Sq. Ft. of business signs in lieu of the maximum permitted 100 Sq. Ft. and to permit 9 signs (1 freestanding, 6 directional signs, and 1 menu board) in lieu of the maximum permitted 3 signs on any premises.
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be assessed and paid to this office at the time of filing.
- Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: *182*
Petitioner: *TACO BELL INC*
Location: *1600 YORK ROAD*
PLEASE FORWARD ADVERTISING BILL TO:
NAME: *WILLIAM MONK INC*
ADDRESS: *222 BOSLEY AVE SUITE B-7*
TOWSON, MARYLAND 21204
PHONE NUMBER: *494-8931*

AJ:ggs (Revised 04/09/93)

TO: PUBLISHER PUBLISHING COMPANY
November 11, 1993 Issue - Jeffersonian

Please forward billing to:

William Monk, Inc.
222 Bosley Avenue #8
Towson, Maryland 21204
410-494-8931

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-184-A (Item 182)
1600 York Road
BMC York Road and Bellona Avenue (pending road closing)
8th Election District - 4th Councilmanic
Owner/Petitioner: Regent Development Company
Contract Purchaser/Petitioner: Taco Bell
HEARING: WEDNESDAY, DECEMBER 1, 1993 at 11:00 a.m. in Rm. 118, Old Courthouse.

Variance to permit a side yard setback of 16 feet in lieu of the required 30 feet; to permit 191.68 square feet of business signs in lieu of the maximum permitted 100 sq. ft.; and to permit 9 signs (1 free-standing, 6 directional, 1 menu board, and 1 speaker post) in lieu of the maximum permitted 3 signs on any premises.

LAWRENCE E. SCHWY
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILING AND/OR HEARING, PLEASE CALL 887-3351.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

NOVEMBER 5, 1993

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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1600 York Road
BMC York Road and Bellona Avenue (pending road closing)
8th Election District - 4th Councilmanic
Owner/Petitioner: Regent Development Company
Contract Purchaser/Petitioner: Taco Bell
HEARING: WEDNESDAY, DECEMBER 1, 1993 at 11:00 a.m. in Rm. 118, Old Courthouse.

Variance to permit a side yard setback of 16 feet in lieu of the required 30 feet; to permit 191.68 square feet of business signs in lieu of the maximum permitted 100 sq. ft.; and to permit 9 signs (1 free-standing, 6 directional, 1 menu board, and 1 speaker post) in lieu of the maximum permitted 3 signs on any premises.

Arnold Jablon
Director

cc: Anthony Byrd/Taco Bell
Regent Development Company
William Monk, Inc.

NOTES: (1) HEARING SIGN A POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILING AND/OR HEARING, CONTACT THIS OFFICE AT 887-3351.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

November 23, 1993

Mr. Louis M. Epstein
Regent Development Company
P.O. Box 566
Allentown, Pennsylvania 18105

RE: Case No. 94-184-A, Item No. 18
Petitioner: Regent Development Company
Petition for Variance

Dear Mr. Epstein:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on October 27, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management
DATE: November 15, 1993

FROM: Robert W. Bowling, Senior Engineer
Development Plan Review

RE: Zoning Advisory Committee Meeting
for November 15, 1993
Item No. 182

The Development Plan Review Section has reviewed the subject zoning item. A formal road closing hearing for Melancton Avenue needs to be initiated by the developer.

The proposed tee-turnaround on Melancton Avenue needs to be enlarged to provide for an adequate turnaround.

Several turning radii need to be modified for better on-site maneuvering. The pick-up window may have to be relocated.

Some parking layout may have to be modified.

RWB:s

SHA Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

November 15, 1993

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. #182 (JJS)
MD 45
Regent Development Corp.
Taco Bell
Variance Request

Dear Ms. Minton:

This office has reviewed the plan for the referenced item and offer the following:

We have no objection to approval of the variance request for the 16' side yard set-back in lieu of the required 30', and the requested variances to permit a 100' square foot business sign and to allow nine (9) signs in lieu of the maximum three (3) signs on any premises.

Also, our review of the proposed entrance improvements and reconstruction, and realignment of the site indicated on the referenced plan are generally acceptable to the State Highway Administration.

Entrance construction shall be subject to the terms and conditions of an access permit issued by this office, with the following submittals required:

- Eight (8) copies of the site plan showing the SHA requirements.
- Completed application.
- Performance bond, letter of credit, or certified check (include Federal ID number or social security number on certified checks only) in the amount of 150% of the actual entrance construction cost (to include the cost of relocating any affected utilities) and in an even thousand dollar increment. These must be made payable to the State of Maryland. (Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection).
- An engineering fee check in the amount of \$50.00 for each point of access, made payable to the State of Maryland.

RECEIVED
NOV 19 1993
ZADM

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2288 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Ms. Charlotte Minton
Page Two
November 15, 1993

- A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction. Or, a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

Should you have any questions, or require additional information, please contact Bob Small at (410) 333-1350. Thank you for the opportunity to review this plan.

Very truly yours,

David Ramsey
David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/es

cc: Mr. William Monk

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: November 15, 1993

SUBJECT: 1600 York Road

INFORMATION:

Item Number: 182

Petitioner: Regent Development Company

Property Size:

Zoning: B.R.-C.N.S.

Requested Action:

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

This site is located along the York Road commercial corridor adjacent to the historic Lutherville community, which is both a National Register Historic District and a Baltimore County Landmarks District.

The Baltimore County Master Plan describes the York Road commercial corridor between Seminary and Ridgely as one with considerable visual clutter, due to a proliferation of signs. Since the site is prominently located at the corner of York Road and Bellona Avenue, the size of the primary sign (which is proposed to be 69 sq. ft. per side or a total of 138 sq. ft.) appears to be excessive and would add to the visual clutter along York Road. The free standing sign utilized at the 9928 York Road Taco Bell of 32 sq. ft. per side is preferable.

The side yard setback Variance is also an issue for the Zoning Commissioner's consideration; this office has no comment concerning that Variance.

Prepared by: Jeffrey M. Long

Division Chief: Gary L. Kinn

PK/JL:lv

78" 187/09/93/75/1

Pg. 1

Baltimore County Government
Department of Permits and Licenses

NOVEMBER 10, 1993

111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3610

MEETING OF NOVEMBER 8, 1993

Property Owner: Dori Eisenacher and Rick Eisenacher
Location: 47512 Gilley Terrace
Item No.: *178 (JJS)

Property Owner: Harry H. Stierhoff, Jr. & Melanie K. Stierhoff
Location: 4305 Lenora Avenue
Item No.: *179 (RT)

Property Owner: Perry Hall Courts II Joint Venture
Location: 46 Meadowbank Court
Item No.: 180 (RT)

Property Owner: Regent Development Company
Location: 41600 York Road
Item No.: *182 (JJS)

Property Owner: Rolling Road Plaza, Inc.
Location: 41100 North Rolling Road
Item No.: *183 (JCH)

Property Owner: Frederic W. Shaffer & Cynthia A. Shaffer
Location: 41218 Second Road
Item No.: *184 (JLL)

Property Owner: Martin Thalia Resnick & Thalia D. Resnick
Location: 41111 Verdant Road
Item No.: *185 (JJS)

Property Owner: Kathleen Ruth Hughes & Richard B. Hughes
Location: 49212 Harford Road
Item No.: *186 (JLL)

Property Owner: Garrison Forest Associates, L.P.
Location: 410300 Reisterstown Rd. Garrison Forest Plaza
Item No.: *187 (WCR)

Property Owner: Eric H. Wilderson & Kathleen Wilderson
Location: 42276 Monocacy Road
Item No.: *188 (RT)

Property Owner: Joseph S. Buchanan, II
Location: 49712 A & B Magleth Road
Item No.: *189 (JJS)

1600 YORK ROAD
TACO BELL
94-092-2

Limited Exemption
Plan Date: 4/94
Comments Due: 5/31/94
Comments Date: 5/17/94
Comments Completed: 5/18/94

This plan does not agree with the approved zoning hearing plan. Since plan changes have been made from the approved petitioners exhibit #1 in the above referenced variance case, provide the approved zoning plan with all red-lined changes, an explanatory cover letter and a \$40.00 check to the Director of ZADM for a determination if this site is within the spirit and intent of the approved plan and order. Document this response on all future plans and resubmit revised plans for zoning review. Show all sign locations and scaled detail and calculation information as approved and detail the zoning restrictions verbatim on the plan for case 94-184-A.

Provide a turn-around area for the 90-degree parking, which doesn't require entrance to the drive-through lane to exit the site.

Any requests for further information from the Zoning Office must include a reference to the limited exemption file #94-092-2 and written correspondence or revised plans must be accompanied by a copy of these comments.

JLL:scj

94-184-2

111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management

November 30, 1993

(410) 887-3383

Mr. Louis W. Epstein
Regent Development Company
P.O. Box 566
Allentown, Pennsylvania 18105

RE: Case No. 94-092-2 Item No. 182
Petition for Variance
1600 York Road

Dear Mr. Epstein:

Enclosed are copies of comments received from the Department of Environmental Protection and Resource Management on November 30, 1993 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

Charlotte Minton
Charlotte Minton

Enclosure

cc: William Monk
Taco Bell

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

November 30, 1993

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilon
Development Coordinator, DEPRM

SUBJECT: Zoning Item #182 - Taco Bell
1600 York Road
Zoning Advisory Committee Meeting of November 8, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with Regulations for Forest Conservation.

JLP:VK:sp

TACOBELL/DEPRM/TXTSBB

9-184-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
INTER OFFICE CORRESPONDENCE

DATE: May 16, 1994

To: Mr. Wirth - DEPRM, SWM
Mr. Stewart - DEPRM, EIRO
Mr. Sealey - DEPRM, W & S
Ms. Brown - ZADM, Development Management (2)
Mr. Richards - ZADM, Development Management (2)
Mr. Horke - ZADM, Street Names & House Numbers
Mr. Bowling - OPW, DES (3)
Capt. Paul - Fire Dept - 1102F
Mr. Grossman - Rec & Parks
Mr. Small - SHA
Mr. McDaniel - OPZ, Development Review (3)

From: Donald T. Rascoe, Development Manager

Subject: Project Name: 1600 York Road (Taco Bell)
Project No: 94092
ZADM No: VIII-609
District: 8 C-3
Engineer: Colbert Engineering Inc
Phone No: (410) 553-3838

Action: ☒ Limited Exemption (26-171 b 9)
☐ Waived Hearing Officer Hearing
☐ CRG Non-material Amendment
☐ Waived CRG Meeting

Please review the attached plan for compliance with current regulations and return comments to this office by May 31, 1994. If you have no comments or do not need to review this plan, please indicate by placing your initials here.

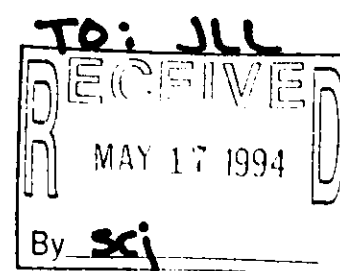
DATE: 5/16/94

Please initial here if your agency requests the Office of Law, Real Estate, to acquire

☐ HIGHWAY WIDENING ☐ FOREST BUFFER
☐ GREENWAY ☐ FLOODPLAIN
☐ DRAIN/UTILITY EASEMENT ☐ PUBLIC WORKS AGMT
☐ FOREST CONSERVATION ☐ NONE OF THE ABOVE

LTOEXEMP DOT

In conference with S & E files on 5/27/94.



Mr. Lawrence Schmidt
Zoning Commissioner
Old Court House
Towson, Maryland 21204

Dear Mr. Schmidt:

This is to advise that Eric Rockel is a member of the Board of Directors of the Lutherville Community Association and the member of the board who chairs the zoning committee. He is authorized to express the views of the Association in the matter of the Taco Bell zoning case.

November 30, 1993

Sincerely,

Kathleen Feroli
Vice President

Lutherville
Community Association
Post Office Box 6
Lutherville, Maryland 21093

WILLIAM MONK, INC.

PLANNING • LANDSCAPE DESIGN • ENVIRONMENTAL RESOURCE MANAGEMENT

February 14, 1994

Mr. Lawrence E. Schmidt
Zoning Commissioner for
Baltimore County
Old Courthouse
Room 113
400 Washington Avenue
Towson, MD 21204

Re: Case # 94-184A; 1600 York Road @ Bellona Avenue

Dear Larry:

I wish to borrow Petitioner's Exhibit # 4 from the above referenced file to be used during the hearing regarding the closing of Melancthon Avenue on February 15, 1994. I must have your approval before being allowed to remove it from the file. The exhibit will be returned promptly upon completion of the hearing.

Thank you for your time and consideration.

Cordially,

William P. Monk

WPM/skm24

OK to borrow
file

WILLIAM MONK, INC.

PLANNING • LANDSCAPE DESIGN • ENVIRONMENTAL RESOURCE MANAGEMENT

June 13, 1994

Mr. Arnold Jablon
Director of Zoning Administration
and Development Management
111 W. Chesapeake Avenue
Room 102
Towson, MD 21204

Re: 1600 York Road: Taco Bell, Case # 94-104-A

Dear Arnold:

Enclosed please find a revised site plan for the proposed Taco Bell on York Road. Minor changes in the parking configuration were necessitated by the traffic engineering division of the Department of Public Works subsequent to the zoning approval. The general location of the building, over all parking scheme and driveway entrances are, in our opinion, consistent with the spirit and intent of the Zoning Commissioner's order. We ask that your office verify same and place this plan in the file for any future reference.

Cordially,

William P. Monk

WPM/skm27

enclosure

Speed Letter

In the interest of speed and economy, we are sending this letter by registered mail.

By mail, we are enclosing a return receipt card.

If you have any questions, please call (410) 553-3838.

Thank you for your cooperation.

John E.D.

June 27, 1994

Staff has reviewed the approved plan red lined changes and has determined that they are consistent with the spirit and intent of the Zoning Commissioner's variance order in case 94-104-A. As requested the red lined plan with the June 20, 1994 approval date block is being included in the permanent zoning case file.

John L. Lewis
Eldner II

c: 94-104-A

RECEIVED

WILLIAM MONK, INC.

PLANNING • LANDSCAPE DESIGN
ENVIRONMENTAL RESOURCE MANAGEMENT
COURTHOUSE COMMONS, SUITE B-7
222 BOSLEY AVENUE, TOWSON, MD 21204

LETTER OF TRANSMITTAL

DATE	OUR JOB NO.
6/21/94	93-18
FILE NO.	YOUR JOB NO.
	94-184-A
ATTENTION	
RE	1600 YORK ROAD

TO: Mr. Arnold Jablon
Director, Z.A.D.M.
111 W. Chesapeake Ave. Rm 102
Towson, MD 21204

GENTLEMEN:

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via _____ the following items:

☐ Shop drawings ☒ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐

DRAWING NO.	FILE NO.	DESCRIPTION	ACTION
1		RED-LINED VARIANCE PLAN	
1		DEVELOPMENT PLAN	
1		COVER LETTER; 6/13/94	
1		CHECK # 2024 for #40	

THESE ARE TRANSMITTED as checked below:

☒ For approval ☐ As requested ☐ Submit _____ copies for distribution
☒ For your use ☐ Resubmit _____ copies for approval ☐ Return _____ corrected prints
☐ For review and comment ☐
☐ FOR BIDS DUE _____ 19____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS:

COPY TO: file

SIGNED: Sarah A. Myerson

If enclosures are not as noted, kindly notify us at once.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

GARY C. DUVALL
Bill Monk

ANTHONY K. BYRD

KEN COLBERT

Patricia A.M. Miller

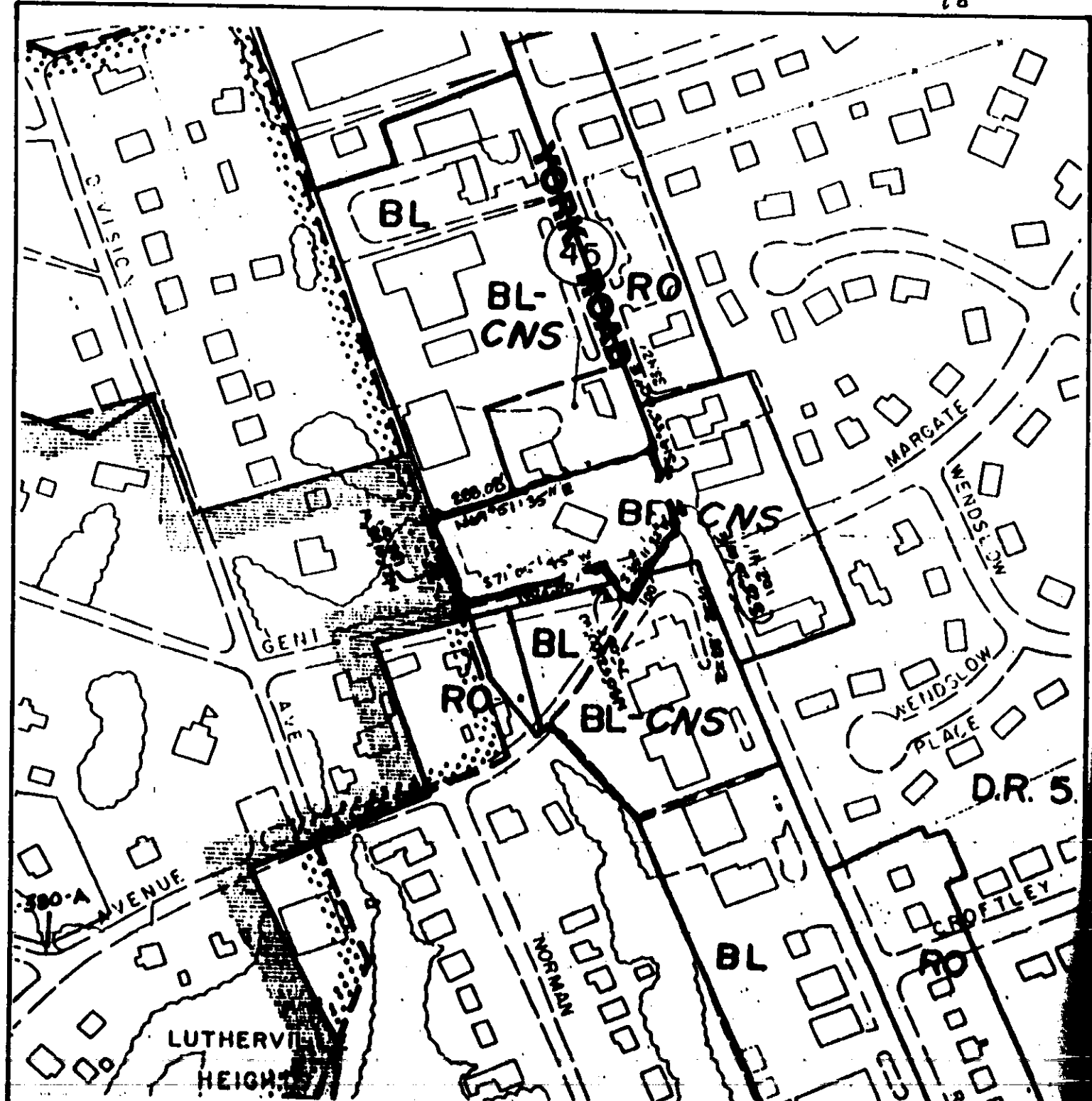
HOWARD S. REITIN

LOUIS W. REITIN

600 WASHINGTON AVE
Towson, MD 21204
222 BOSLEY AVE
SUITE B-7
TOWSON 21204
620 HEARDEN PKWY
SUITE 200
HEARDEN, VA 22070
3723 OLD COURT SUITE 206
BALTIMORE MD 21208

KLMB Inc
100 West Rd Towson, Md
21204

923 HAMILTON ST.
ALLENSTOWN, PA 17011
923 HAMILTON ST.
ALLENSTOWN, PA 17011



WILLIAM MONK, INC.
PLANNING • LANDSCAPE DESIGN
ENVIRONMENTAL RESOURCE MANAGEMENT
222 BOSLEY AVENUE, SUITE B-7
TOWSON, MD 21204
(410) 553-3838

ZONING MAP
TO ACCOMPANY VARIANCE APPLICATION
1600 YORK ROAD
BALTIMORE COUNTY, MARYLAND

APPLICANT:
TACO BELL
200 HEBBURN PARKWAY
SUITE 200
HEARDEN, VA 22070
DATE: 6/13/94

WILLIAM MONK, INC.

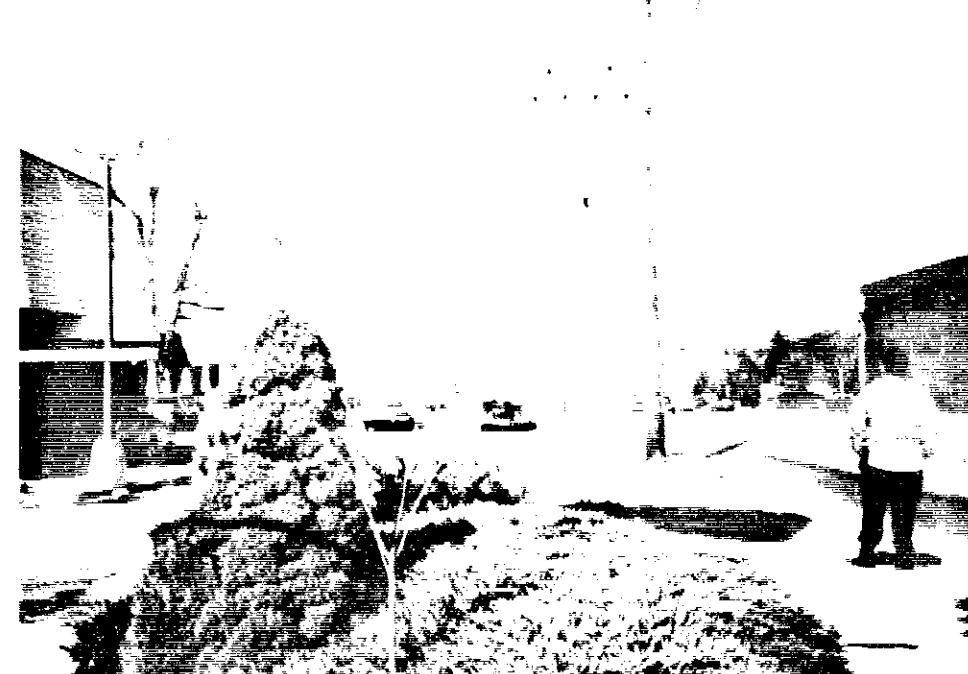
PLANNING • LANDSCAPE DESIGN • ENVIRONMENTAL RESOURCE MANAGEMENT

YORK ROAD



VIEW LOOKING SOUTH

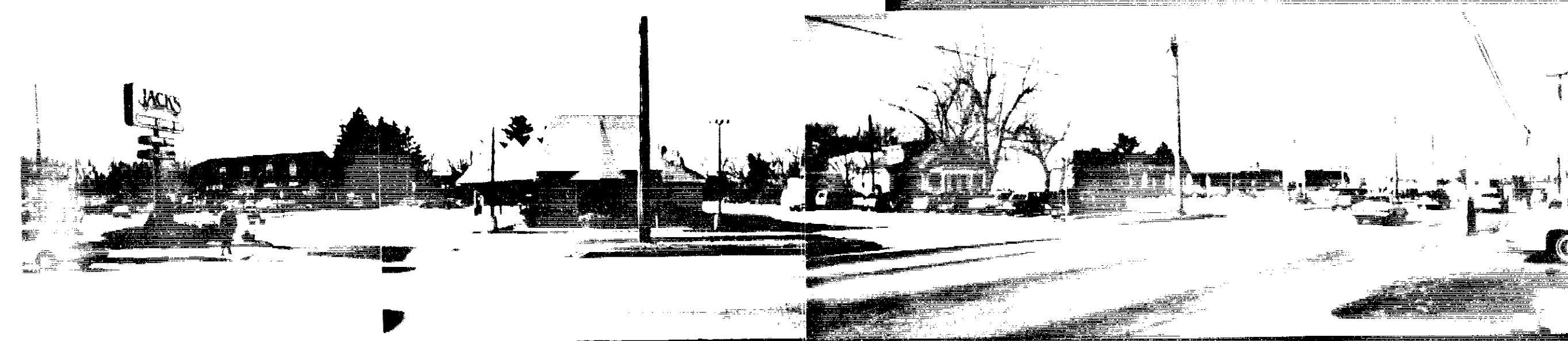
VIEW LOOKING NORTH



PETITIONER'S
EXHIBIT 2A

WILLIAM MONK, INC.

PLANNING • LANDSCAPE DESIGN • ENVIRONMENTAL RESOURCE MANAGEMENT



1600 YORK ROAD

VIEW LOOKING WEST FROM YORK ROAD

PETITIONER'S
EXHIBIT 2B

WILLIAM MONK, INC.

PLANNING • LANDSCAPE DESIGN • ENVIRONMENTAL RESOURCE MANAGEMENT

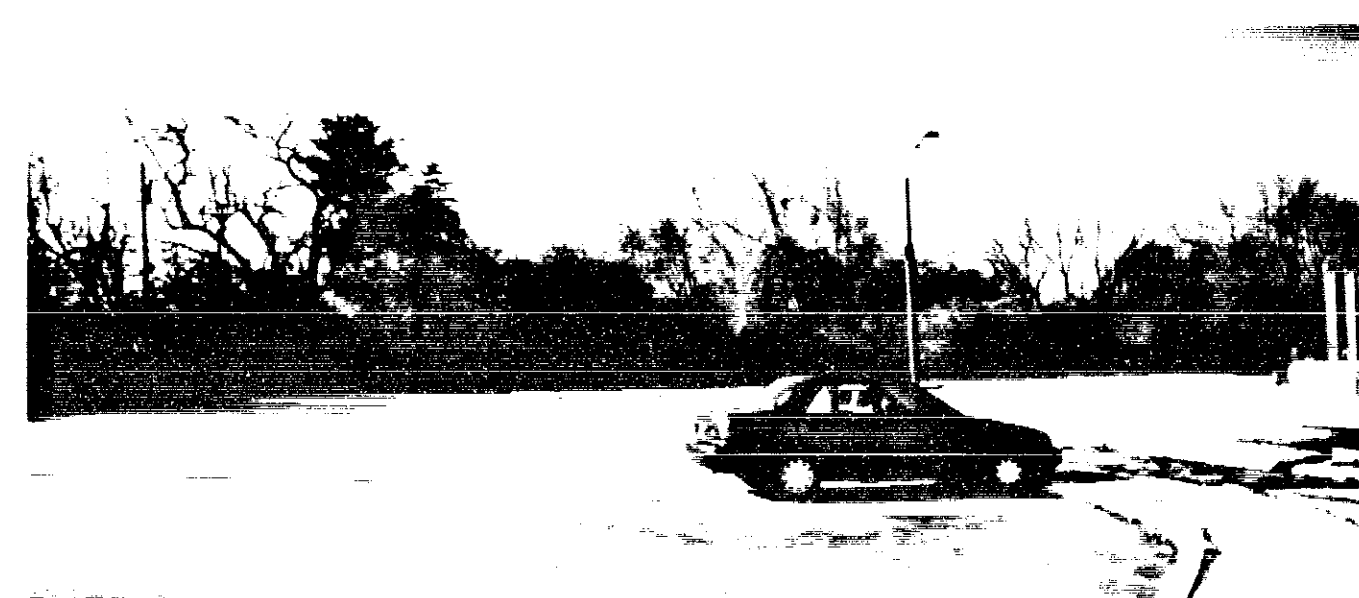


**MELANCHTON AVENUE
VIEW FROM YORK ROAD**

PETITIONER'S
EXHIBIT 2C

WILLIAM MONK, INC.

PLANNING • LANDSCAPE DESIGN • ENVIRONMENTAL RESOURCE MANAGEMENT



REAR PARKING LOT

VIEW LOOKING WEST TOWARDS RESIDENCE

PETITIONER'S
EXHIBIT 3D

WILLIAM MONK, INC.

PLANNING • LANDSCAPE DESIGN • ENVIRONMENTAL RESOURCE MANAGEMENT



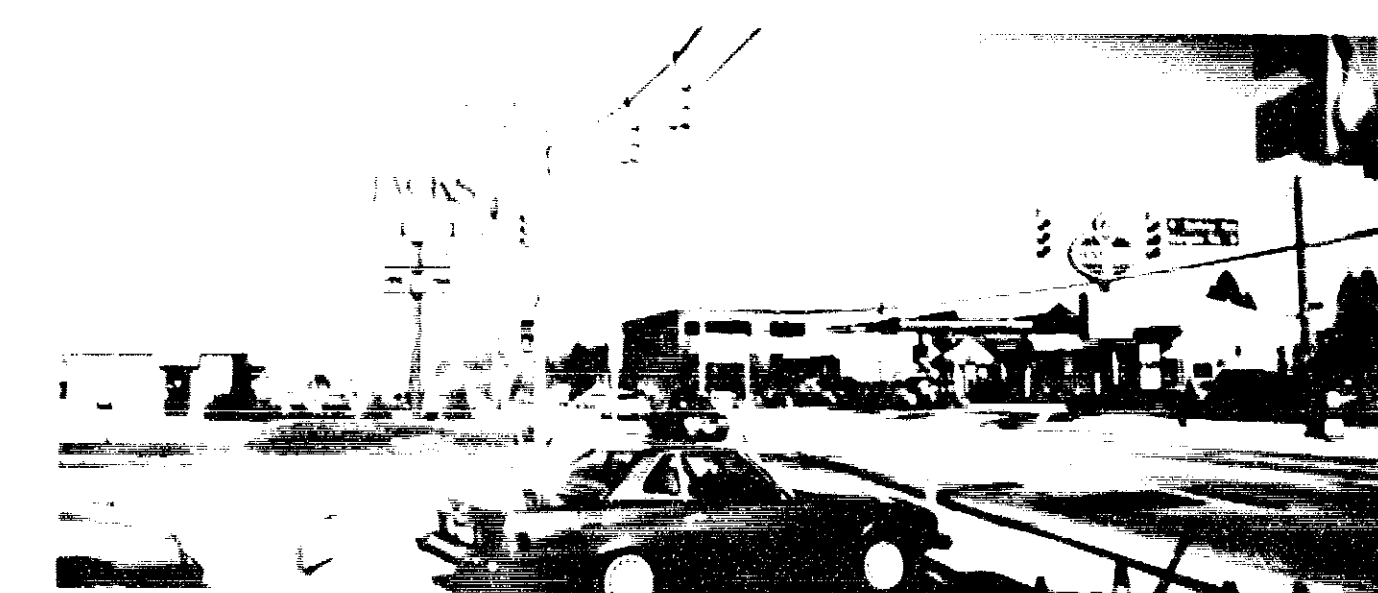
ADJACENT LAND USE

**NORTH SIDE
COMMERCIAL BARBER SHOP & RESIDENCE**

PETITIONER'S
EXHIBIT 3E

WILLIAM MONK, INC.

PLANNING • LANDSCAPE DESIGN • ENVIRONMENTAL RESOURCE MANAGEMENT



EXISTING SIGNAGE

PETITIONER'S
EXHIBIT 3F

WILLIAM MONK, INC.

PLANNING • LANDSCAPE DESIGN • ENVIRONMENTAL RESOURCE MANAGEMENT

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-9931



PROPOSED JOINT USE DRIVEWAY
VIEW FROM BELLONA AVE.

**PETITIONER'S
EXHIBIT No 5**

**Proposed Amendments To
The Baltimore County
Zoning Regulations
Regarding**

SIGNS

**PETITIONER'S
EXHIBIT No 7**

**A Staff Report of
the Baltimore County
Office of Planning & Zoning**

August 24, 1993



**PETITIONER'S
EXHIBIT No 6**

**P3 69 Square Feet
10'-1" x 6'-9" DF C-P Logo Sign
at 25' OAH**

Electrical Specifications:
Lamps: (6) 117T12 H/O C.W.
Ballast: (2) Jefferson 250-496-100
Conn. Load: 7.7 AMPS
Circuits: (1) 15 AMP
Service sign by: Hinged Frame
Lifting Weight: 490 lbs.
Maximum Design
Wind Load: 30 PSF

COUNCIL OF BALTIMORE COUNTY, MARYLAND
LEGISLATIVE SESSION 1993, LEGISLATIVE DAY NO. 19
BILL NO. 163-93

DR. DONALD C. HASON, COMMISSIONER

BY THE COUNCIL OF BALTIMORE COUNTY, OCTOBER 18, 1993

A BILL
ENTITLED

AN ACT concerning

Forest Conservation

FOR the purpose of excluding certain redevelopment projects from the
provisions of the Forest Conservation Act.

BY repealing and re-enacting, with amendments,

Section 14-602, the definition of Development Project

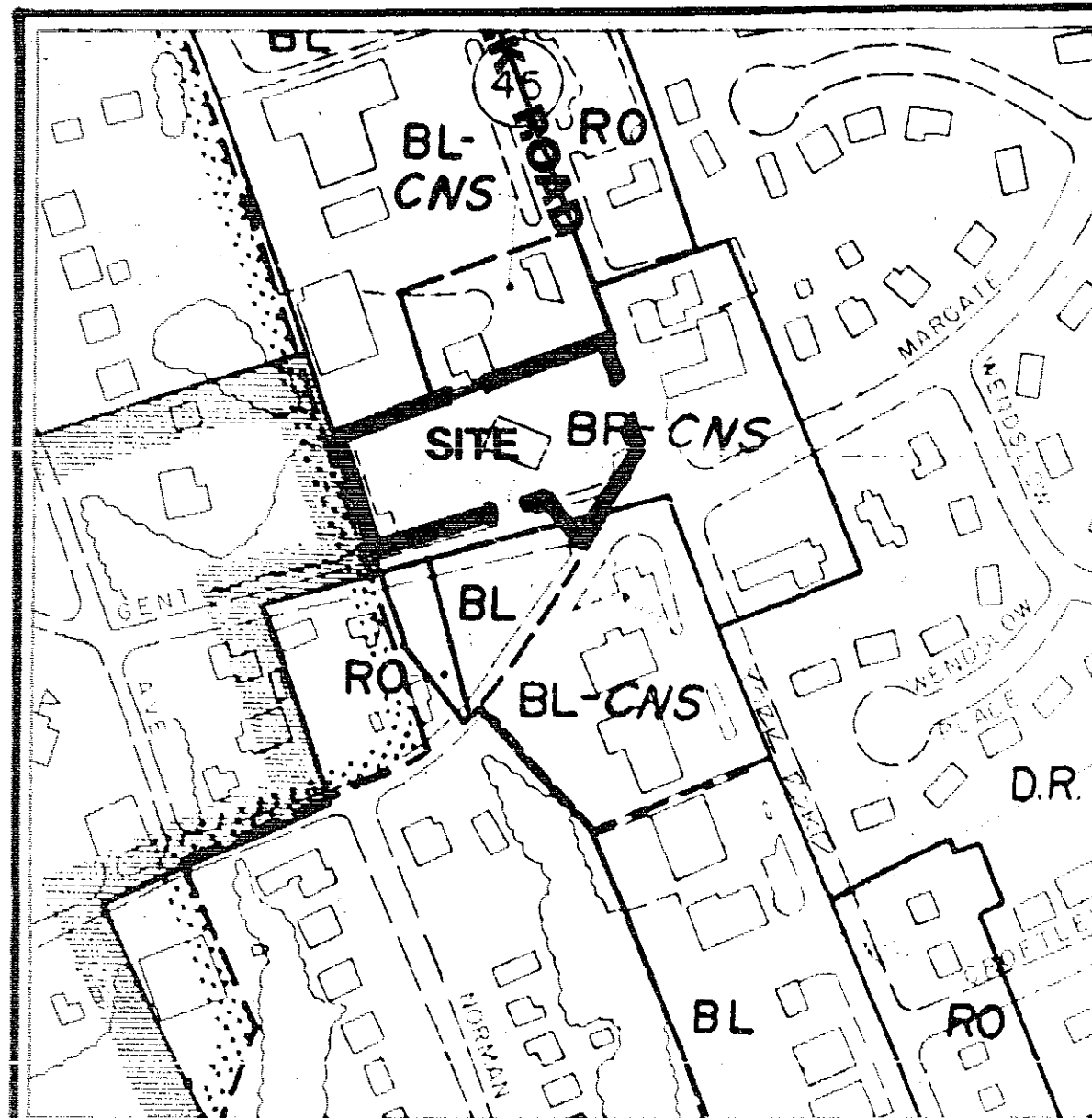
Title 14 - Environmental Protection and Resource Management
Baltimore County Code, 1988

1. SECTION 14-602, BE IT ENACTED BY THE COUNCIL OF BALTIMORE
2. COUNTY, MARYLAND, that Section 14-602, the definition of Development
3. Project, Title 14, Environmental Protection and Resource Management,
4. Baltimore County Code, 1988, be and it is hereby repealed and
5. re-enacted, with amendments, to read as follows:

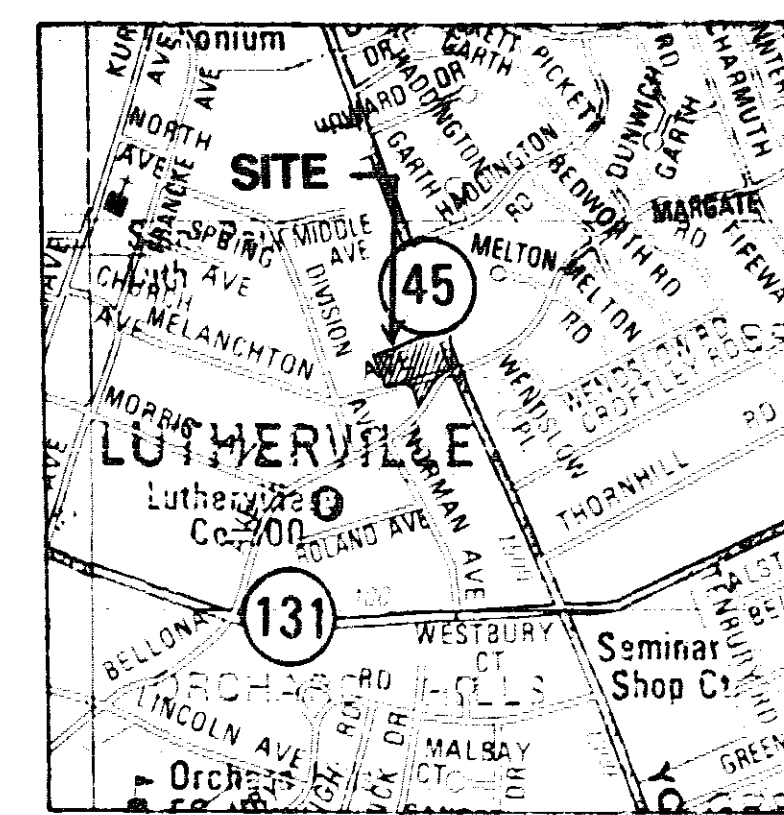
Section 14-602. Definitions.

6. In this article the following terms have the meanings indicated:
7. Development project means the grading or construction activities
8. occurring on a specific tract that is 40,000 square feet or greater.
9. Development project includes redevelopment, UNLESS THE REDEVELOPMENT
- 10.

**PETITIONER'S
EXHIBIT No 9**



ZONING MAP
SCALE: 1"=200'



VICINITY MAP
SCALE: 1"=1000'

TACO BELL
620 HERNDON PARKWAY
SUITE 200
HERNDON, VA. 22070

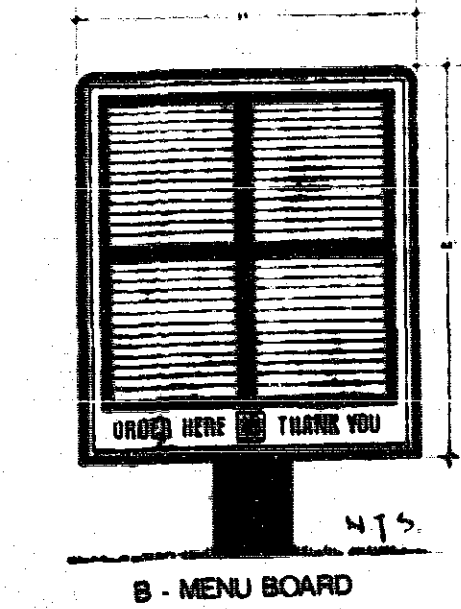
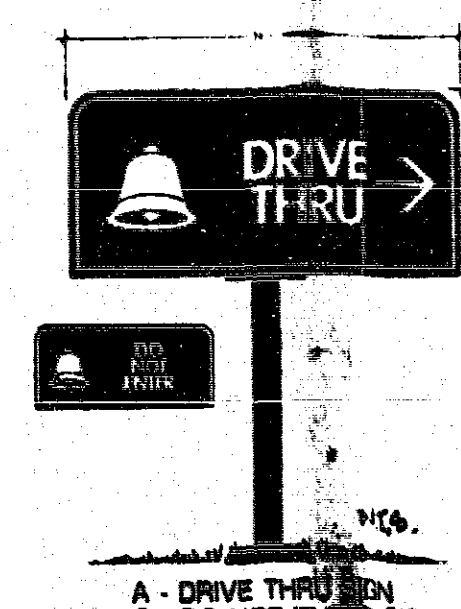
PLAN TO ACCOMPANY VARIANCE APPLICATION

1600 YORK ROAD
BALTIMORE COUNTY, MARYLAND

1. PROPERTY OWNER: TACO BELL RESTAURANT SYSTEMS, INC. 1000 S. GARDEN AVENUE, SUITE 100, GAITHERSBURG, MD 20878
2. SITES: EXISTING: BL-CNS (BUSINESS ROADSIDE) AND BL (BUSINESS-LOCAL) PROPOSED: (NO CHANGE)
3. LOT AREA: GROSS AREA: 1.25 AC (54,297.5 SQ. FT.) NET AREA: 1.07 AC (46,567.5 SQ. FT.)
4. EXISTING USE: FAST FOOD RESTAURANT (JACK'S CORNER HERE) WITH DRIVE THRU WINDOW (VACANT)
5. PROPOSED USE: TACO BELL RESTAURANT WITH DRIVE-THRU WINDOW
6. BUILDING SETBACKS: REQUIRED: PROVIDED: FRONT: 25' 10' SIDE: 10' 10' REAR: 10' 10'
7. BUILDING AREA: 2,398 S.F.
8. PARKING: REQUIRED: 15 PARKING SPACES PER 1,000 S.F. GROSS FLOOR AREA = 39 SPACES (1A X 2,398 = 39.3) PROVIDED: 57 SPACES
9. UTILITIES: SEWER - PUBLIC WATER - PUBLIC
10. VARIANCE: (1) SECTION 218.2 TO PERMIT A SIDE YARD SETBACK OF 10' IN LIEU OF THE REQUIRED 20' (2) SECTION 412.2 (F) TO PERMIT 191.68 SQ. FT. OF BUSINESS SIGN IN LIEU OF THE MAXIMUM PERMITTED 100 SQ. FT. AND TO PERMIT 5 SIGNS (1 FREE STANDING, 4 DIRCTIONAL SIGNS, 1 SHARED POST, AND 1 MENU BOARD) IN LIEU OF THE MAXIMUM PERMITTED 3 SIGNS ON ANY PREMISES.
11. ELECTION DISTRICT: 8
12. COUNCILMANIC DISTRICT: 3
13. CENSUS TRACT: 4064.02
14. WATERSEWER: 14
15. SUBDIVISION: 10
16. DEED REFERENCE: 6296/278
17. PROPERTY ACCOUNT NO.: TAX ACCOUNT # 8-0819031159
18. TAX MAP 60, GRID 18, PARCEL 202
19. FLOOR AREA RATIO: 0.04
20. HEIGHT OF BUILDING: NOT TO EXCEED 20 FEET
21. MASS TRANSIT ADJUSTMENT: N/A
22. SIGN: SEE NOTE 10 VARIANCE NUMBER 2
23. PREVIOUS COMMERCIAL PERMIT: NO RECORDS AVAILABLE
24. SAVING REASONS: 80-29 SPHA, 69-122, 64-10 RAL, 5244-V
25. A LIMITED EXEMPTION FROM SECTION 26-171(B-3) OF THE BALTIMORE COUNTY DEPARTMENT REGULATIONS HAS GRANTED ON 1/24/93. THIS EXEMPTS THE APPLICANT FROM THE COMMUNITY INPUT MEETING (CIM) AND THE HEARING OFFICER'S HEARING (HOH).
26. THIS SITE IS NOT SUBJECT TO STORMWATER MANAGEMENT REQUIREMENTS FOR QUANTITY CONTROL.
27. THE DEVELOPMENT OF THIS SITE REQUIRES THE CLOSURE OF MELANCHTON AVENUE.



CODE	NAME	TOTAL # OF SIGNS	NO. OF
A	DRIVE THRU	1	1
B	MENU BOARD	1	1
C	DO NOT ENTER	1	1
D	POLE SIGN	1	1
E	SPEAKER POST	1	1



A - DRIVE THRU SIGN
C - DO NOT ENTER SIGN

B - MENU BOARD

D - POLE SIGN

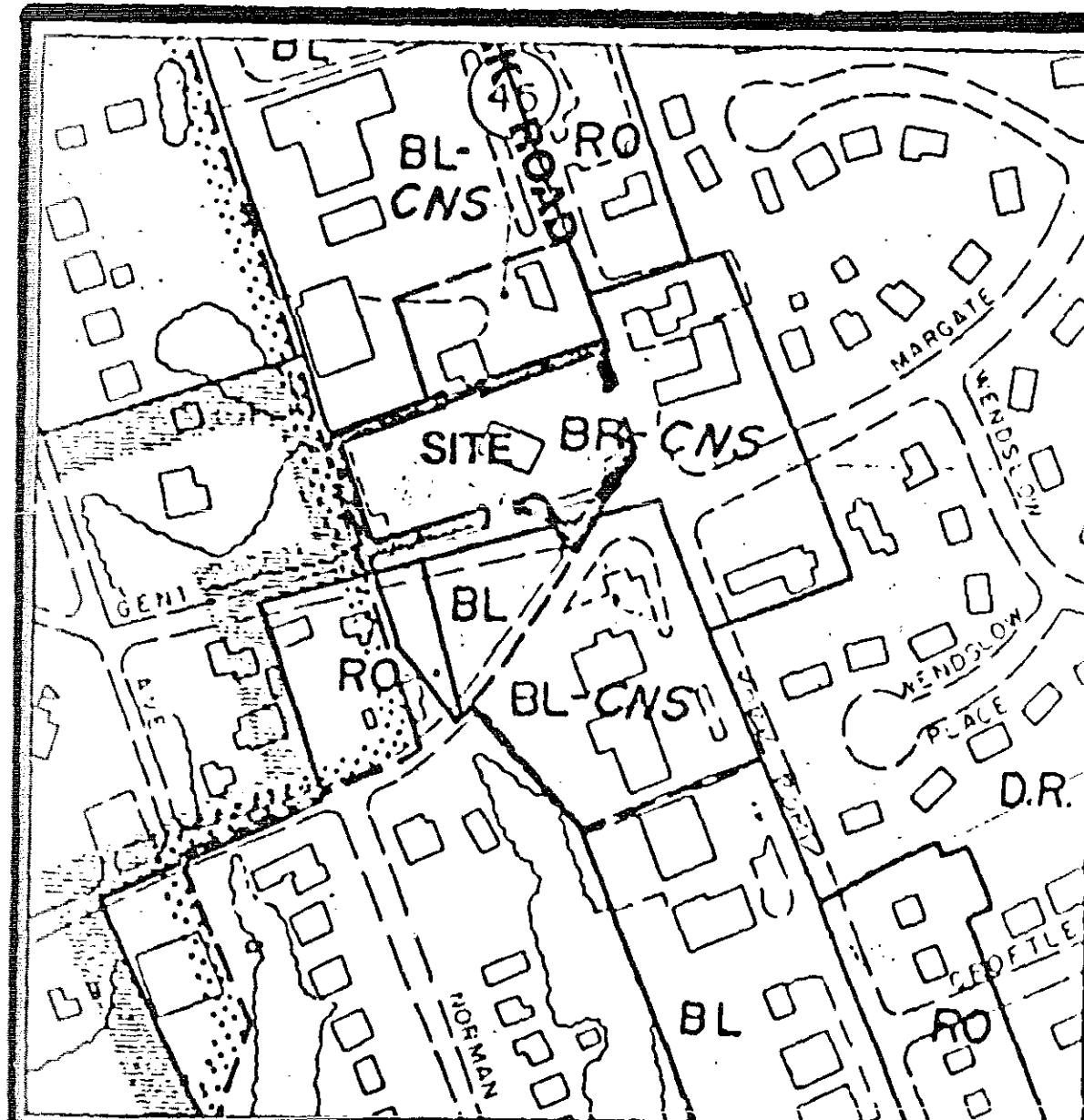
PETITIONER'S
EXHIBIT No. 1

SCALE: 1"=80'

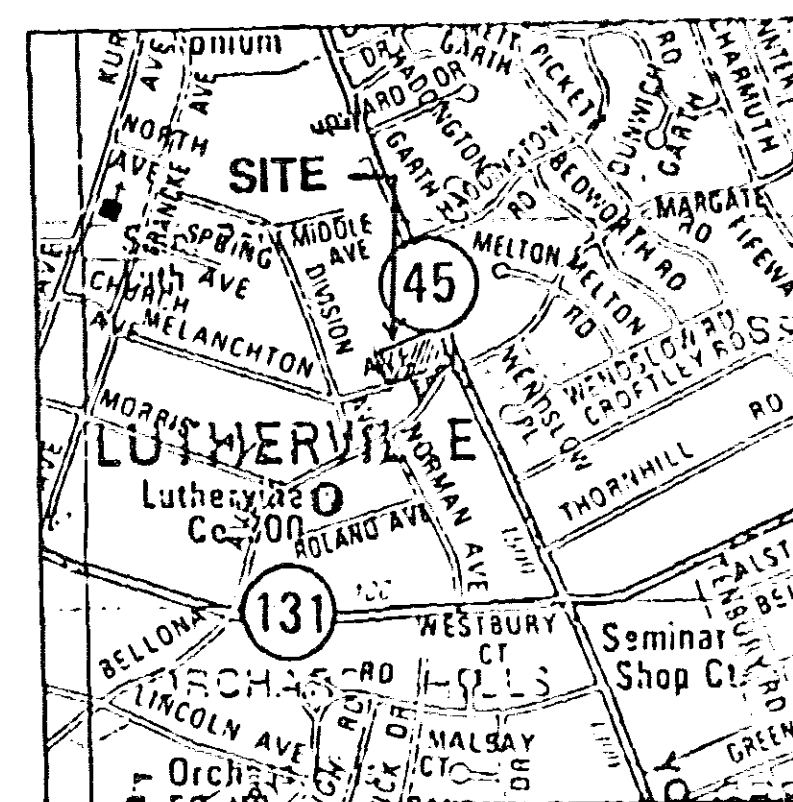
94-184-A



WILLIAM MONK, INC.
PLANNING • LANDSCAPE DESIGN
ENVIRONMENTAL RESOURCE MANAGEMENT
500 MONK AVENUE, SUITE 8-7
TOWSON, MARYLAND 21204
(410) 284-8821



ZONING MAP
SCALE: 1"=200'



VICINITY MAP
SCALE: 1"=1000'

TACO BELL
620 HERNDON PARKWAY
SUITE 200
HERNDON, VA. 22070

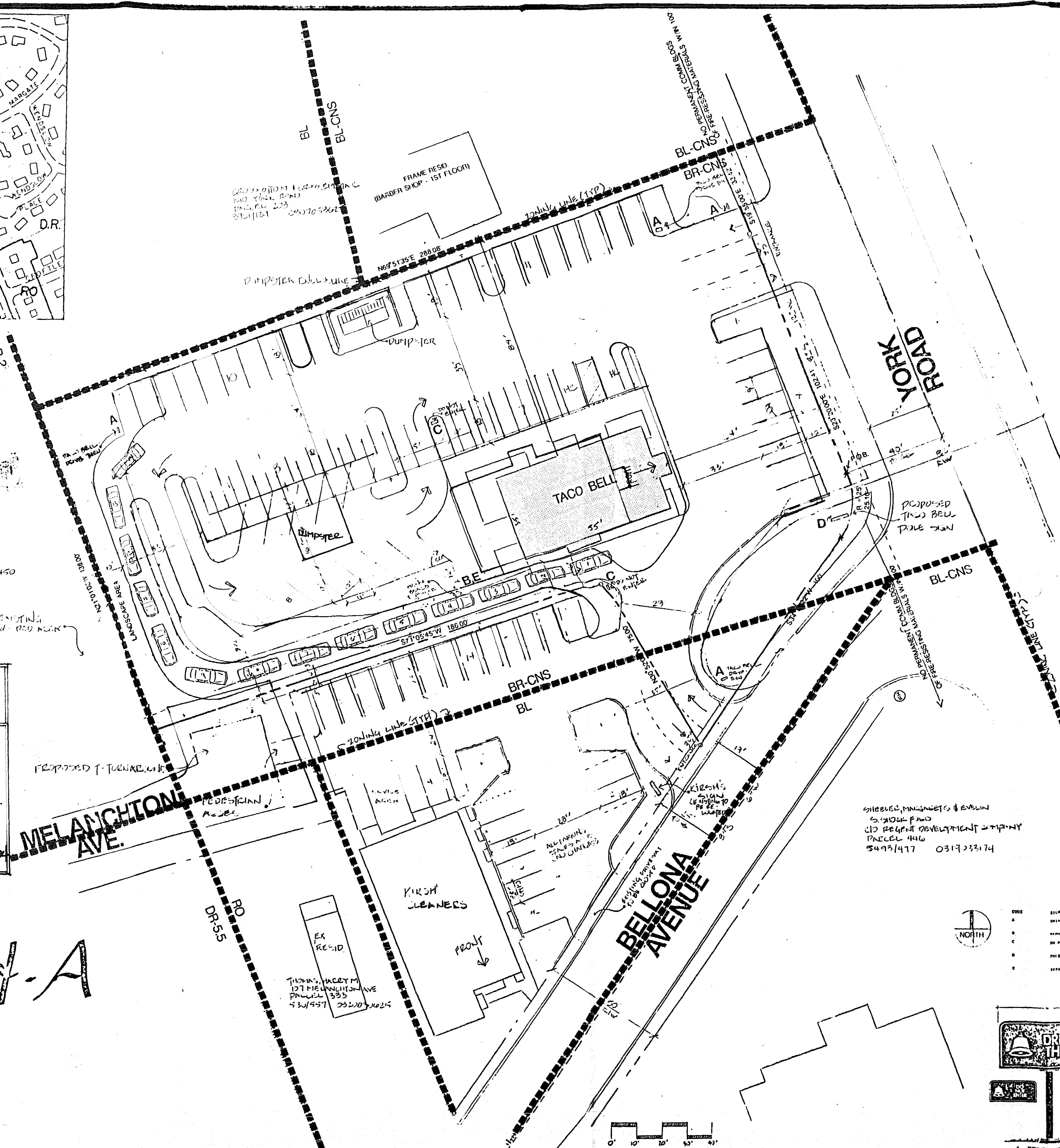
PLAN TO ACCOMPANY VARIANCE APPLICATION 1600 YORK ROAD BALTIMORE COUNTY, MARYLAND

FOR FURTHER DETAIL SEE ATTACHED
DEVELOPMENT PLAN PREPARED BY
COLBERT ENGINEERING INC.; 4/24/94.

APPROVED AS BEING WITHIN
THE SPIRIT AND INTENT OF
THE ORDER AND PLAN IN
ZONING CASE #94-184-A.

John J. Callahan
ARNOLD JACOBSON
DIRECTOR Z.B.D.M. JUNE 20, 1994

94-184-A

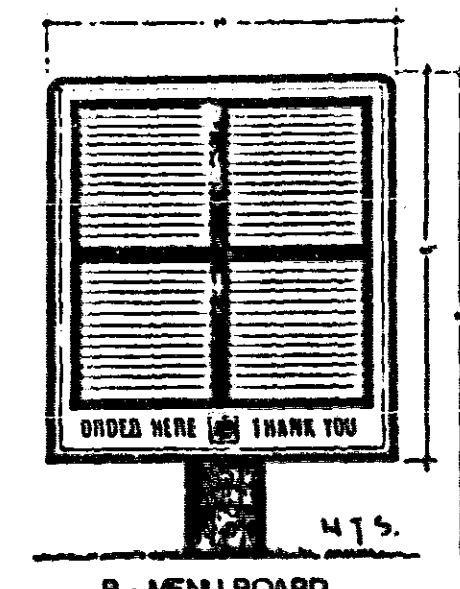
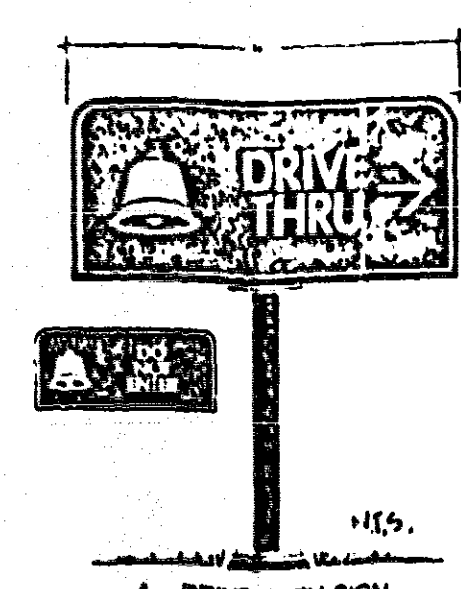


- 1) 1600 YORK ROAD
- 2) PROPERTY OWNER: HERNDON ESTATES
RECENT DEVELOPMENT COMPANY
P.O. BOX 566
ALLESTOWN, PA 18105
- 3) ZONING: EXISTING: BR-CNS (BUSINESS ROADSIDE) AND BL (BUSINESS-LOCAL)
PROPOSED: (NO CHANGE)
- 4) LOT AREA: GROSS AREA: 1.25 AC (54,297.5 SQ. FT.)
NET AREA: 1.07 AC (46,567.5 SQ. FT.)
- 5) EXISTING USE: FAST FOOD RESTAURANT (JACK'S CORNED BEEF)
DRIVE THRU WINDOW (VACANT)
- 6) PROPOSED USE: TACO BELL RESTAURANT WITH DRIVE-THRU WINDOW
- 7) BUILDING SETBACKS: REQUIRED EXISTING
FRONT 15' 44'
STREET CORNER SIDE 10' 44'
INTERIOR SIDE 10' 84'
REAR 30' 160'
- 8) VARIANCE REQUIRED (SEE NOTE # 10)
- 9) BUILDING AREA: 2398 S.F.
- 10) PARKING: REQUIRED - 16 PARKING SPACES PER 1,000 S.F. GROSS FLOOR AREA = 39 SPACES (16 X 2,358 + 23.51)
PROVIDED - 57 SPACES
- 11) UTILITIES: SEWER - PUBLIC
WATER - PUBLIC
- 12) VARIANCE: 1) SECTION 218.2 TO PERMIT A SIDE YARD SETBACK OF 15' IN LIEU OF THE REQUIRED 30' (2) SECTION 218.2 (3) TO PERMIT 16' 44' SQ. FT. OF PARKING SPACE IN LIEU OF THE REQUIRED 100 SQ. FT. AND TO PERMIT 5 SIGNS (1 FREE STANDING, 4 STRUCTURAL SIGNS, 3 STREET MOUNT, AND 1 SIGN MOUNTED ON SIDE OF THE BUILDING) 2) SIGN ON LOT, PERMITTED.
- 13) SECTION DISTRICTS: 6
- 14) COUNCILMANIC DISTRICTS: 3
- 15) CENSUS TRACTS: 4066.02
- 16) WATERBODIES: 34
- 17) BUREAUS/DEPARTMENTS: 10
- 18) DEED REFERENCES: 6294/278
- 19) PROPERTY ACCOUNT NO. 1 TAX ACCOUNT # 8-0819033159
- 20) TAX MAP 60, GRID 18, PARCEL 102
- 21) FLOOR AREA RATIO: 0.04
- 22) HEIGHT OF BUILDING: NOT TO EXCEED 30 FEET
- 23) MASS TRANSIT ADJUSTMENT: N/A
- 24) SIGN: SEE NOTE 10 VARIANCE NUMBER 2
- 25) PREVIOUS COMMERCIAL PERMIT: NO RECORDS AVAILABLE
- 26) SIGNING REQUIREMENTS: 80-20 SIGN, 80-122, 64-10 REA, 3244-9
- 27) A LIMITED EXEMPTION FROM SECTION 24-111(N-9) OF THE BALTIMORE COUNTY DEVELOPMENT REGULATIONS WAS GRANTED ON 10/21/93. THIS EXEMPTION IS THE PROPERTY OF THE COUNTY INPUT MEETING (CIM) AND THE HEARING OFFICER'S HEARING (HOH).
- 28) THIS SITE IS NOT SUBJECT TO STORMWATER MANAGEMENT REQUIREMENTS FOR QUANTITY CONTROL.
- 29) THE DEVELOPMENT OF THIS SITE REQUIRES THE CLOSURE OF MELANCTON AVENUE.

SHEPHERD, MANNING & EVANS
5700 FARM
C/O RECENT DEVELOPMENT COMPANY
PARCEL 446
5493/477 0317/33174



CODE	TYPE	TOTAL # OF SIGNS	REMARKS
A	DRIVE THRU	1	16' 44' SQ. FT.
B	MENU BOARD	1	16' 44' SQ. FT.
C	DO NOT ENTER	1	16' 44' SQ. FT.
D	POLY TECH	1	16' 44' SQ. FT.
E	SEPARATE TREE	1	16' 44' SQ. FT.
	TOTAL	5	16' 44' SQ. FT.



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